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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,888	12/07/1999	H. S. ROY	07844-379001	7041

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FISH & RICHARDSON P.C.
500 ARGUELLO STREET
SUITE 500
REDWOOD CITY, CA 94063

EXAMINER

ROMERO, ALMARI DEL CARMEN

ART UNIT PAPER NUMBER

2176

DATE MAILED: 03/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/456,888

Applicant(s)

ROY ET AL.

Examiner

Almari Romero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Application filed on 12/07/99 and IDS filed on 2/27/02 and 9/09/02.
2. Claims 1-31 are pending in the case. Claims 1, 13, 23, 26, 27, 28, 29, 30, and 31 are independent claims.

Information Disclosure Statement

3. The Information Disclosure Statement filed 2/27/02 have not been considered failing to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because each publication listed in an information disclosure statement must be identified by **publisher, author (if any), title, relevant pages of the publication, date, and place of publication**. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).
4. The references listed in the Information Disclosure Statement filed on 9/09/02 have been considered.

Drawings

5. The formal drawings filed on 12/07/99 were approved by the Draftsperson.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-7, 11-22, 27-28, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Warmus et al. (International Patent No. WO99/22313 A – published on 05/1999).**

Regarding independent claims 1, 27, and 31, Warmus et al. (Warmus) discloses:

A method, computer readable medium, and system for generating a document, comprising:

inserting one or more placeholders in the document (on page 8, lines 1-17 and page 10, lines 1-18: teaches creating template file having placeholders);

binding each placeholder to a content source (on page 10, lines 1-18, see Abstract: teaches layering graph data entries over placeholders);

compiling the placeholders into code to generate content for the document based on the content source (on pages 8, lines 1-17 and page 10, lines 1-18: teaches interpreting template page files); and

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executing the code to generate the content and presenting the content of the document if in a presentation mode or restoring the placeholder if in an edit mode (on page 8, lines 1-17 and page 10, lines 1-18: teaches executing a graph file to generate graph).

Regarding dependent claim 2, Warmus discloses:

further comprising formatting the placeholders (on page 10, lines 1-18: teaches tagging the placeholders).

Regarding dependent claim 3, Warmus discloses:

further comprising annotating the placeholders (on page 8, lines 1-17 and page 10, lines 1-18: teaches tagging the placeholders and assigning graph parameters (i.e. labels)).

Regarding dependent claim 4, Warmus discloses:

wherein executable code is generated from the annotations to retrieve the content (on page 10, lines 1-18: teaches generating a graph using specified graph parameters).

Regarding dependent claim 5, Warmus discloses:

further comprising rendering the page based on the content (on page 10, lines 1-18: teaches transmitting pages to a display device).

Regarding dependent claim 6, Warmus discloses:

where in the generating executable codes further comprises compiling code to obtain content from a database (on page 8, lines 1-17: teaches graph data entries are obtain from database).

Regarding dependent claims 7 and 20, Warmus discloses:

further comprising embedding the code as attributes in the placeholder (on page 8, lines 1-17: teaches text box with assigned attributes such as (i.e. color or font)).

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Regarding dependent claim 11, Warmus discloses:

comprising specifying a content insertion based on the placeholder, each placeholder having a representative content (on page 10, lines 1-18: teaches layering the placeholder with corresponding variable graph data).

Regarding dependent claim 12, Warmus discloses:

further comprising using the formatting, styling, or layout of the representative content of the placeholder to format, style, or layout the content (on page 8, lines 1-17: teaches graph parameters and attributes may be specified for formatting of graph data with color, font, size, scaling, etc.).

Regarding independent claims 13 and 28, Warmus discloses:

A method and computer readable medium for generating a document, comprising:

inserting one or more placeholders in the document (on page 8, lines 1-17 and page 10, lines 1-18: teaches creating template file having placeholders);

binding each placeholder to a content source (on page 10, lines 1-18, see Abstract: teaches layering graph data entries over placeholders); and

interpreting the placeholders and presenting the content of the document if in a presentation mode or restoring the placeholder if in an edit mode (on page 8, lines 1-17 and page 10, lines 1-18: teaches interpreting template page files which includes placeholders and graph data).

Regarding dependent claim 14, Warmus discloses:

wherein each placeholder includes an annotation describing the content for the placeholder, further comprising reading the annotation that describe the content to replace the

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placeholder (on page 8, lines 1-17: teaches graph parameters determines graph types and on page 10, lines 1-18: teaches layering graph data over placeholders).

Regarding dependent claim 15, Warmus discloses:

further comprising retrieving the content as interpreted by the annotations (on page 8, lines 1-17 and page 10, lines 1-18, see Abstract: teaches retrieving graph data stored in database).

Regarding dependent claim 16, Warmus discloses:

wherein each placeholder is formatted, further comprising formatting the content to match the format of the placeholder (on page 10, lines 1-18: teaches layering the specified graph parameters and graph data over placeholder).

Regarding dependent claim 17, Warmus discloses:

further comprising interpreting the layout; and replacing the content in lieu of the placeholder when rendering the document (on page 10, lines 1-18: interpreting template page files; layering graph data over placeholder; and transmitting pages to be displayed (rendered)).

Regarding dependent claim 18, Warmus discloses:

further comprising rendering the content for viewing (on page 10, lines 1-18, see Abstract: teaches pages to be displayed).

Regarding dependent claim 19, Warmus discloses:

wherein the content is displayed in lieu of the placeholder (on page 10, lines 1-18, see Abstract: teaches graph placed over the placeholder will be displayed).

Regarding dependent claim 21, Warmus discloses:

further comprising restoring the placeholder when the designer edits the document in an edit mode (on page 8, lines 1-28: teaches prompt user to edit page).

Regarding dependent claim 22, Warmus discloses:

further comprising storing metadata for the placeholder as a comment field in the document (on page 8, lines 1-28: teaches setting and storing graph parameters for the text box).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 8-10, 23-26, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warmus, as applied to claims 1-7, 11-22, 27-28, and 31 above, in view of Templeman (USPN 5,845,303 – issued on 12/1998).**

Regarding independent claims 23 and 29, Warmus discloses the invention substantially as claimed as described *supra*. Warmus discloses:

A method and computer readable medium for processing a document, comprising:

inserting one or more elements in the document (on page 8, lines 1-17 and page 10, lines 1-18: teaches creating template file having placeholders);

binding the elements to one or more content sources (on page 10, lines 1-18, see Abstract: teaches layering graph data entries over placeholders);

retrieving data from the bound one or more content sources (on page 8, lines 1-17 and page 10, lines 1-18, see Abstract: teaches retrieving graph data entries from a database) and

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replacing the elements with the retrieved data during run-time (on page 10, lines 1-18, see

Abstract: teaches placing retrieved graph data over the placeholders); and

restoring the elements during an edit session (on page 8, lines 1-28: teaches prompt user for editing page).

However, Warmus does not explicitly disclose "mark up element".

Templeman on col. 2, lines 29-46 and col. 7, lines 62-67, see figures 3c and 4: teaches template page uses a tagging scheme of HTML+ or SGML dialects.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Templeman into Warmus to provide mark up tagging scheme, as taught by Templeman, incorporated into the placeholder of the page template file of Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claim 24, Templeman discloses:

further comprising updating a markup language document during run-time based on an original layout and content generated on-the-fly (Templeman on col. 3, lines 41-48: teaches allowing dynamic presentation of information).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Templeman into Warmus to provide mark up tagging scheme, as taught by Templeman, incorporated into the placeholder of the page template file of Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claim 25, Warmus discloses:

wherein the content replaces the placeholder (on page 10, lines 1-18: teaches graph data is placed over the placeholder).

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Regarding independent claims 26 and 30, Warmus discloses the invention substantially as claimed as described *supra*. Warmus discloses:

A method and computer readable medium for generating a document having one or more mark-up elements, each elements being bound to a content source, the method comprising:

specifying one or more parameters (Warmus on page 8, lines 1-28 and page 10, lines 1-18: teaches specifying graph parameters);

retrieving data satisfying the one or more parameters from the bound content source (Warmus on page 8, lines 1-28 and page 10, lines 1-18: teaches retrieving graph data from a data based on graph parameters);

replacing the elements with the retrieved data (Warmus on page 10, lines 1-18, see Abstract: teaches layering graph data entries over placeholders); and

displaying the document (Warmus on page 10, lines 1-18: teaches transmitting page to a display device).

However, Warmus does not explicitly disclose "mark up element".

Templeman on col. 2, lines 29-46 and col. 7, lines 62-67, see figures 3c and 4: teaches template page uses a tagging scheme of HTML+ or SGML dialects.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Templeman into Warmus to provide mark up tagging scheme, as taught by Templeman, incorporated into the placeholder of the page template file of Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claim 8, Templeman discloses:

wherein the placeholder is a mark-up element (Templeman on col. 2, lines 29-46 and col. 7, lines 62-67, see figures 3c and 4: teaches tagging scheme of HTML+ or SGML dialects).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Templeman into Warmus to provide mark up tagging scheme, as taught by Templeman, incorporated into the placeholder of the page template file of Warmus in order to permit importation and easy translation of HTML or SGML data.

Regarding dependent claims 9 and 10, Templeman discloses:

wherein the mark-up element is an HTML element or an XML element (Templeman on col. 2, lines 29-46 and col. 7, lines 62-67, see figures 3c and 4: teaches tagging scheme of HTML+ or SGML dialects).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Templeman into Warmus to provide mark up tagging scheme, as taught by Templeman, incorporated into the placeholder of the page template file of Warmus in order to permit importation and easy translation of HTML or SGML data.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5845,084 – Cordell et al. – filed on 04/1996

USPN 6,021,426 – Douglass et al. – filed on 12/1997

USPN 6,205,452 B1 – Warmus et al. – filed on 10/1997

USPN 6,230,173 B1 – Ferrel et al. – filed on 07/1995


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR
March 19, 2003


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100